

09-30-02

DAC #9



TDTD 10465.1  
PATENT

1

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of Kevin D. Horner-Richardson, David A. Small and Jesse A. Roberts  
Serial No. 09/821,868  
Filed March 30, 2001  
Confirmation No. 9294  
For PLASMA ARC TORCH AND METHOD FOR IMPROVED LIFE OF PLASMA ARC  
TORCH CONSUMABLE PARTS

September 27, 2002

**REQUEST FOR RECONSIDERATION OF PETITION UNDER 37 CFR 1.47(a)**

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS,  
Washington, D.C. 20231

SIR/MADAM:

Thermal Dynamics Corporation, assignee of the above-identified application (hereinafter "Assignee"), and Kevin D. Horner-Richardson and Jesse A. Roberts, joint inventors identified in the above-identified application, hereby requests reconsideration of their Petition under Rule 47(a) to accept the DECLARATION AND POWER OF ATTORNEY signed by Kevin D. Horner-Richardson and Jesse A. Roberts, and without the signature of David A. Small, the remaining joint inventor, submitted with their Petition under Rule 47(a) dated October 10, 2001.

A renewed Petition was previously filed by Assignee on February 25, 2002. A Decision Refusing Status Under 37 CFR 1.47(a) was subsequently mailed July 1, 2002. In that Decision, the Examiner indicated that the Assignee has sufficiently established that the non-signing inventor, David A. Small, refuses to execute the DECLARATION AND POWER OF ATTORNEY. However, the renewed Petition of February 25, 2002 was dismissed because 1) Jesse A. Roberts had made changes to the DECLARATION without initializing and dating the changes, and 2) the last know address of David A. Small provided in the renewed Petition differed from the address provided in the DECLARATION.

All facts previously asserted in the renewed Petition filed February 25, 2002 are reasserted herein. A new DECLARATION AND POWER OF ATTORNEY in compliance with

**RECEIVED**

**OCT 02 2002**

**OFFICE OF PETITIONS**

37 CFR §1.63 is submitted herewith. The current last know address of the non-signing inventor corresponds to the last know address provided in the renewed Petition filed February 25, 2002.

A check is enclosed to cover the fee for a one month extension of time to file the present Request.

In view of the above, Assignee and the signing joint inventors request that the Commissioner grant the Petition.

If any additional charges are due in this matter, please charge Deposit Account No. 19-1345.

Respectfully submitted,



Richard L. Bridge, Reg. No. 40,529  
Senniger, Powers, Leavitt & Roedel  
One Metropolitan Square, 16th Floor  
St. Louis, MO 63102  
(314) 231-5400

\* Enclosures  
RLB/psm  
Express Mail No. EL 945483974 US

RECEIVED  
OCT 02 2002  
OFFICE OF PETITIONS